



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/749,766	11/20/96	METCALF	R 21285, 0103

26M1/0402

JAMES G RATIO
BAKER & BOTTS
THE WARNER
1299 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004-2400

EXAMINER

OH, M

ART UNIT

PAPER NUMBER

2605

2

DATE MAILED: 04/02/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or ~~thirty days~~, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☐ Claim(s) _____ is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 to 22 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 2605

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 to 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Short.

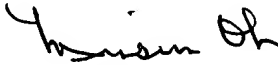
Short discloses a sound system which is comprised of means for separately receiving sound produced by the plurality of sound sources and means for converting the separately received sound to a plurality of separate audio signals without mixing the audio signals (L and R and R and L were inherently produced by a plurality of sound source); means for separately storing the plurality of separate audio signals without mixing the audio signals (BUFFERS); means for separately retrieving the stored audio signals (output of BUFFERS); an amplification network comprising a plurality of amplifiers means with separate amplifier means for separately amplifying each of the separate audio signals (20 and 24); a loudspeaker network comprising a plurality of loudspeaker means, with separate loudspeaker means for reproducing the separately amplified audio signals (1 and 2); a dynamic controller for dynamically controlling the loudspeaker network and the amplification network (14 and 22); the loudspeaker means comprises a one or more loudspeakers which are customized for reproduction of the type of sounds reproduced by each loudspeaker (1 and 2); the plurality of sound source comprises a group of individual sound source (inherent that group of sound sources are group of individual

Art Unit: 2605

sound source); and the amplification means and loudspeaker means is separately controllable (inherent that the amplifiers and the loudspeakers are separately controllable).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Boer, Sadaie, and Rapoport discloses a system for reproducing sounds.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minsun Oh whose telephone number is (703) 308-6741.


Minsun Oh
Patent Examiner
Group 2605